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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,669	06/27/2003	Peter Dam Nielsen	855.0008.U1(US)	8037
29683 7590 03/31/2008 HARRINGTON & SMITH, PC 4 RESEARCH DRIVE SHELTON, CT 06484-6212				
EXAMINER TIEU, BINH KIEN				
ART UNIT 2614		PAPER NUMBER		
MAIL DATE 03/31/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/607,669

Applicant(s)

NIELSEN ET AL.

Examiner

BINH K. TIEU

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-14, 16-28 and 30-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Balogh (Pub. No.: US. 2001/0024953, *as cited in the previous Office Action*) in view of Russell (Pub. No.: US. 2004/0249915).

Regarding claim 1, Balogh teaches a method comprising:

a) storing in the mobile telephone a plurality of different sets of parameter settings, each of which is associated with a location (see paragraphs [0024] and [0029]);

b) detecting at the mobile telephone the current location of the mobile telephone (paragraph [0031]); and

c) controlling the mobile telephone using the set of parameter settings associated with the detected current location (paragraph [0033]).

It should be noticed that Balogh fails to clearly teach the features of downloading a set of parameter settings to the mobile telephone when the mobile telephone enters a new location. However, Russell teaches such features in paragraphs [0085] and [0117] for a purpose of attempting to communicate with new contracted networks.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the features of downloading a set of parameter settings to the mobile telephone when the mobile telephone enters a new location, as taught by Russell, into view of Balogh in order to update the database of the mobile phone as well as to establish communications to available new networks.

Regarding claims 2-3, Balogh further teaches limitations of the claims in paragraphs [0036]-[0038].

Regarding claim 4, Balogh further teaches limitations of the claims in paragraphs [0028] and [0034].

Regarding claim 6, Russell further teaches the “User Personality Profile” as provisioning document in paragraph [0080].

Regarding claim 7-8, Balogh further teaches limitations of the claims in paragraphs [0025]-[0026] and [0031]-[0032].

Regarding claim 9, Russell teaches in paragraph [0089] that the device tries to register and authenticate with a new contracted network. It loads and loopbacks each of the set of parameter settings related to contracted networks in order to establish communication with a new contracted network. Upon attempts, each set of parameter settings of the contracted networks was not changed or altered. Thus, each set of parameter settings was protected from irrespective of location.

Regarding claim 10, Balogh further teaches limitations of the claim in paragraph [0033].

Regarding claim 11, Balogh teaches an apparatus comprising:

a memory for storing a plurality of different sets of parameter settings and a database for

associating each set of parameter settings with a location (see paragraphs [0024], [0029] and [0049]);

a detector for detecting the current location of the apparatus (paragraph [0031]); and
a controller for interrogating the database to obtain the set of parameter settings associated with the current location and for controlling the apparatus in dependence upon the obtained set of parameter settings (paragraph [0033]).

It should be noticed that Balogh fails to clearly teach the features of an interface for downloading a set of parameter settings when the apparatus enters a new location. However, Russell teaches such features in paragraphs [0085] and [0117] for a purpose of attempting to communicate with new contracted networks.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the features of downloading a set of parameter settings when the apparatus enters a new location, as taught by Russell, into view of Balogh in order to update the database of the mobile phone as well as to establish communications to available new networks.

Regarding claims 12-13, Balogh further teaches limitations of the claims in paragraphs [0036]-[0038].

Regarding claim 14, Balogh further teaches limitations of the claim in paragraphs [0028] and [0034].

Regarding claim 16, Russell further teaches the “User Personality Profile” as provisioning document in paragraph [0080].

Regarding claims 17-18, note paragraphs [0025]-[0026] and [0031]-[0032].

Regarding claim 19, Russell teaches in paragraph [0089] that the device tries to register and authenticate with a new contracted network. It loads and loops back each of the set of parameter settings related to contracted networks in order to establish communication with a new contracted network. Upon attempts, each set of parameter settings of the contracted networks was not changed or altered. Thus, each set of parameter settings was protected from irrespective of location.

Regarding claim 20, Balogh further teaches limitations of the claim in paragraph [0033].

Regarding claim 21, Balogh teaches an apparatus comprising:

mean for storing in the mobile telephone a plurality of different sets of parameter settings, each of which is associated with a location (see paragraphs [0024] and [0029]);

means for detecting the current location of the apparatus (paragraph [0031]); and

means for interrogating the database to obtaining the set of parameter settings associated with the current location and for controlling the apparatus in dependence upon the obtained set of parameter settings (paragraph [0033]).

It should be noticed that Balogh fails to clearly teach the features of downloading a set of parameter settings to the apparatus when the apparatus enters a new location. However, Russell teaches such features in paragraphs [0085] and [0117] for a purpose of attempting to communicate with new contracted networks.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the features of downloading a set of parameter settings to the apparatus when the apparatus enters a new location, as taught by Russell, into

view of Balogh in order to update the database of the mobile phone as well as to establish communications to available new networks.

Regarding claim 22, Balogh further teaches limitations of the claim in paragraphs [0036]-[0038].

Regarding claim 23, Balogh further teaches limitations of the claims in paragraphs [0025]-[0026] and [0031]-[0032].

Regarding claim 24, Russell teaches in paragraph [0089] that the device tries to register and authenticate with a new contracted network. It loads and loopbacks each of the set of parameter settings related to contracted networks in order to establish communication with a new contracted network. Upon attempts, each set of parameter settings of the contracted networks was not changed or altered. Thus, each set of parameter settings was protected from irrespective of location.

Regarding claim 25, Balogh further teaches limitations of the claim in paragraph [0033].

Regarding claim 26, Balogh teaches a computer readable medium encoded with a computer program comprising:

- a) computer code for storing in the mobile communication device a plurality of different sets of parameter settings, each of which is associated with a location (see paragraphs [0024] and [0029]);
- b) computer code for detecting at the mobile communication device the current location of the mobile communication device (paragraph [0031]); and
- c) computer code for controlling the mobile communication device using the set of parameter settings associated with the detected current location (paragraph [0033]).

It should be noticed that Balogh fails to clearly teach the features of downloading a set of parameter settings to the mobile communication device when the mobile communication device enters a new location. However, Russell teaches such features in paragraphs [0085] and [0117] for a purpose of attempting to communicate with new contracted networks.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the features of downloading a set of parameter settings to the mobile communication device when the mobile communication device enters a new location, as taught by Russell, into view of Balogh in order to update the database of the mobile phone as well as to establish communications to available new networks.

Regarding claim 27, Balogh further teaches limitations of the claims in paragraphs [0036]-[0038].

Regarding claim 28, Balogh further teaches limitations of the claims in paragraphs [0028] and [0034].

Regarding claim 30, Russell further teaches the “User Personality Profile” as provisioning document in paragraph [0080].

Regarding claim 31, Balogh further teaches limitations of the claims in paragraphs [0025]-[0026] and [0031]-[0032].

Regarding claims 32 and 34, Russell teaches in paragraph [0089] that the device tries to register and authenticate with a new contracted network. It loads and loopbacks each of the set of parameter settings related to contracted networks in order to establish communication with a new contracted network. Upon attempts, each set of parameter settings of the contracted networks

was not changed or altered. Thus, each set of parameter settings was protected from irrespective of location.

Regarding claim 35, Russell further teaches limitations of the claim in paragraphs [0096] and [0098].

3. Claims 5, 15 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Balogh (Pub. No.: US. 2001/0024953) in view of Russell (Pub. No.: US. 2004/0249915) as applied to claim 1 above, and further in view of Daigle et al. (Pub. No.: US 2004/0054719).

Regarding claims 5, 15 and 29, Balogh and Russell, in combination, fails to clearly teach the features of the application settings include settings for an email client. However, Daigle et al. ("Daigle") teaches such features in paragraph [0082] for a purpose of transceiving instant messages (IMs) to and from a remote IM client.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the features of the application settings include settings for an email client, as taught by Daigle, into view of Balogh and Russell in order to receive emails and the like.

Response to Arguments

4. Applicant's arguments, see Applicant's remarks, filed 01/25/2008, with respect to the rejection(s) of claim(s) 1-20 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Russell as discussed above.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL CUSTOMER SERVICE FOR THE SUBSTITUTIONS OR COPIES.**

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Alexandria, VA 22314

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/BINH K. TIEU/
Primary Examiner
Technology Division 2614

Date: March 26, 2008